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Thirty-Eighth

Congress of the United States of America

AT SEATTLE
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

At the Second Session,

Begun and held at the City of Washington, on Monday, the fifth day of December, one thousand eight hundred and sixty-four.

A RESOLUTION

Submitting to the legislatures of the several States a proposition to amend the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

(two-thirds of both Houses concurring), that the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be added to all intents and purposes, as a part of the said Constitution:

Article XIII. Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

John B. Gage
Speaker of the House of Representatives.H. C. Canfield
Vice President of the United States
and President of the Senate

Approved, February 1, 1865.

Abraham Lincoln

EVIDENCE Exhibit 4



12-CV-02048-EXH 4

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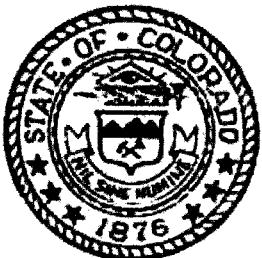
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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPU

TERRITORY
1861

STATE
1876



DEPARTMENT OF PERSONNEL

DIVISION OF

STATE ARCHIVES AND PUBLIC RECORDS

*I Herby Certify that the annexed copy
(or each of the annexed copies) is a true
copy of a record in the legal custody of
the State Archivist of Colorado, and is
filed among the records of*

COLORADO TERRITORY LEGISLATIVE ASSEMBLY, TERRITORY OF COLORADO
deposited therein

GENERAL LAWS, JOINT RESOLUTIONS, MEMORIALS, AND PRIVATE ACTS, PASSED AT THE
FIRST SESSION OF THE LEGISLATIVE ASSEMBLY, DENVER, COLORADO TERRITORY,
SEPTEMBER 9, 1861.

TITLE PAGE, PAGES 20, 21, 2 [SIC], AND 35.
TOTAL 5 PAGES.

EVIDENCE Exhibit 4



Tom Stetler

STATE ARCHIVIST OF COLORADO

OCTOBER 4, 1995

DATE

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25x

GENERAL LAWS, JOINT RESOLUTIONS, MEMORIALS

6744 970

AND PRIVATE ACTS.

PASSED AT THE FIRST SESSION

OF THE
LEGISLATIVE ASSEMBLY

TERRITORY OF COLORADO.

BORN AND GROWN AT

DENVER, COLORADO TERR. SEPT. 26, 1861.

TOGETHER WITH

THE DECLARATION OF INDEPENDENCE,

THE CONSTITUTION OF THE UNITED STATES,

AND THE

ORGANIC ACT OF THE TERRITORY.

PUBLISHED BY AUTHORITY.

DENVER:
THOS. GIBSON, COLORADO REPUBLICAN AND HERALD OFFICE.
1861.

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Law Library
DISTINGUISHED FROM THE CONSTITUTION.
SECOND JUDICIAL DISTRICT

ARTICLE I.

~~Deepest concern~~ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

ARTICLE II.

~~Right to bear arms~~ A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

~~Warrant and due process of law~~ No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

~~Searches and seizures~~ The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

~~Capital and other punishment~~ No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

~~Right of accused to a speedy and public trial~~ In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial

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any of the State and common law
have established, which of
previously unenacted by law, is
the nature and scope of the
granted with the necessary and
power proper for obtaining
and to have the assistance of

ARTICLE I.

In order to prevent law, who
ver, shall exceed twenty days
jury shall be preserved, and no
shall be otherwise than within the
United States, than according to
such law.

ARTICLE II.

Executive law shall not be a
fine imposed, nor cruel and un-
just.

ARTICLE III.

The enumeration in the Constitution
shall not be construed to deny or
abridge the people.

ARTICLE IV.

The powers not delegated to the
Constitution, nor prohibited
are reserved to the States respec-

ARTICLE V.

The judicial power of the U.S.
constrained to extend to all cases
arising under the Constitution,
and the Laws of the U.S.; and
of all Treaties made, or which
any foreign States.

ARTICLE VI.

I. The electors shall meet in their
and vote by ballot for President
one of whom, at least, shall not
more than three years before they
ballot the person voted for at
that ballot, the person voted for
and they shall make distinct ball-
ots for President, and of all other
President, and of the members of
the electors shall sign and certify,

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TITLE IX.

and an established
and exercise the right
of the people
to assemble and
to petition.

easy to the people
to keep and

be quartered in
the houses; not in
prescribed by law.

sure in their persons
and unresistant
to be seized, and no
desire, supported
tarily describing the
use of things to be

over for a capital or
in a presentment or
in cases arising in
militia, when in
danger; no shall
offense to be twice
be compelled
against him; no
property, without
process to be taken
from him.

1. no person shall be
accused of any
offense, without
trial by an impartial

jury of the State and district where in the crime or
have been committed, which district shall have been
previously ascertained by law, and to be informed of
the nature and cause of the accusation to be con-
fronted with the witnesses against him, to have an
opportunity for obtaining witnesses for his defense,
and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in question
shall exceed twenty dollars, the right of trial by
jury shall be preserved; and no fact tried by a jury
shall be otherwise reexamined in any court of the
United States, than according to the rules of the common
law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive ~~but not less~~
fines imposed, nor cruel and unusual punishments in-
flicted.

ARTICLE IX.

The enumeration in the constitution, of certain rights, ~~of~~
shall not be construed to deny or disparage others re-
tained by the people.

ARTICLE X.

The powers not delegated to the United States by ~~from~~
the constitution, nor prohibited by it to these States,
are reserved to the States respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed
to extend to any suit in law or equity, com-
menced or prosecuted against one of the United States
by citizens of another State, or by citizens or subjects
of any foreign State.

ARTICLE XII.

1. The electors shall meet in their respective States ~~and~~
and vote by ballot for President and Vice President, ~~and~~
one of whom, at least, shall not be an inhabitant of the
same State or themselves; they shall then sign their
ballots ~~which~~ shall be counted for President, and in the
event ballot, the person voted for as Vice President,
and they shall make in like manner a joint list of all persons voted
for as President, and of all persons voted for as Vice
President, and of the number of votes for each, which
list they shall sign and certify, and transmit sealed to

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CHANGES IN THE COMPOSITION

the seal of government of the United States, directed to the President of the Senate, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the vote shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a number of members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.

At the Fire Front

2. The person having the greatest number of votes as Vice President, shall be Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers in the list, the Senate shall choose the Vice President, a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

ARTICLE XIII

The author wishes to emphasize that
these figures are approximate.

2. If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

Note.—The 11th article of the amendments to the Constitution was proposed at the second session of the third Congress; the 12th article, at the first session of the eighth Congress; and the 13th article, at the second session of the eleventh Congress.

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should be the best
and the strongest
and the best in the
world for the work
of the entire world,
and possessed
of all the gifts of
the nations, therefore,
extended over most
all lands, witness
that the time will
come when advanced
day has appeared,
and before long from

be made for the sale or of the first section of this law, and
not, can establish by good and competent witness that he did
spirituous liquor or wine obtained from him, and
especially, by a soldier, who did not, at the time of
obtaining such spirituous liquor or wine, the uniform
or other badge used to distinguish him from a citizen,
and that he did not know such person to be a soldier,
such person so complained against, shall not be liable
for the punishment enacted in this act.

... Sec. 1. This act shall take effect and be in force from and after its passage.

Approved, September 25th, 1861.

AN ACT

Adopting the Common Law of England

Enacted by the Council and House of Representatives
of Colorado Territory:

Section 1. That the Common Law of England, as far as the same is applicable and of a general nature, and all acts and statutes of the British Parliament, made in aid of or to supply the defects of the Common Law, prior to the fourth year of James the First, (excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter of thirteenth Elizabeth, and ninth chapter of thirty-seventh Henry Eighth,) and which are of a general nature, and not local to that Kingdom, shall be the rule of decision, and shall be considered as of full force until repealed by legislative authority.

Section 1 This act shall be in force from and after its passage.

Approved, October 11th, 1961

AN ACT

To organize the Militia.

Be it enacted by the Council and House of Representatives
of California Territory:

Section 1. Every able bodied male citizen of Colo. ~~the age of~~ ^{and} male between the ages of eighteen and forty-five years, except those who are by this act exempt therefrom, shall be subject and liable to perform military duty as a soldier to uphold the constitution and laws of the United States and the Organic Act and laws of this Territory, according to the terms and provisions of this act. And every citizen above forty-five years of age